

## **REMARKS**

Claims 1-19, and 27-29 are now pending in the application. Claims 2-3, 10, 12-13 and 19 have been withdrawn. Claims 20-26 have been cancelled without prejudice to the subject matter contained therein. Claims 27-29 have been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 6-9, 11, 14, and 16-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Mogaki (US Pat. No. 5,692,345). This rejection is respectfully traversed.

At the outset, Applicant submits that the amendment to claim 1 has rendered moot the rejection of claim 1 (and claims 2 and 6-10 depending therefrom).

The Office Action states that Mogaki discloses in Fig. 1 at least two couplings (10) each having a channel L which is positioned adjacent a corresponding one of the pair of opposed sides of boards 31L and 31R, such that corresponding portions of the cover 30L are received and retained within the channel L defined by coupling. A review of Mogaki shows that the cover panels 30L have portions 34 that are received and joined to a panel joiner 20, which is fitted to ends 14 of the post 10. But the side walls 12 of the post 10 are not positioned adjacent to the opposed sides of the boards 31L and 31R as indicated by the Office Action. Furthermore, the portion 34 of each cover panel 30 is not individually retained by each end portion (13, 14) of post 10, or by each

wing 21 of the panel joiner 20. Rather, the portions 34 of the cover panels are both retained between the ends 14 of post 10, and between the wings 21 of panel joiner 20.

Claims 1 and 11 have been amended to clarify that a portion of the cover is individually received and retained by a portion of a coupling. Unlike Mogaki, which requires portions of adjacent covers to both be inserted in order to retain the portions of two covers between the two end portions 14 or wings 21, the cover in amended claims 1 and 11 comprises a portion that is individually retained by a coupling. This allows a single cover to be positioned over a board and be individually retained by the coupling, without requiring an adjacent cover portion to also be inserted into the coupling. Mogaki does not teach or disclose a coupling is capable of individually retaining a corresponding portion of a single cover. Because Mogaki requires adjacent covers to be inserted into order to be retained and does not otherwise disclose or suggest a system in which a portion of the cover is individually received and retained by a portion of a coupling, Mogaki does not anticipate claims 1, 6-9, 11, 14, and 16-18.

Furthermore, claims 1 and 11 also require that the at least two couplings are positioned adjacent a corresponding one of the pair of opposed sides of a board, which in various embodiments can provide a generally uniform and consistent spacing between the boards. Mogaki also does not teach or disclose at least two couplings that are positioned adjacent corresponding sides of a board. For this additional reason, Applicant submits that claims 1 and 11 are not anticipated by Mogaki, and are allowable.

With regard to claims 6-9, these claims depend from independent claim 1, which Applicant believes to be allowable in view of the above remarks. As such, Applicant

submits that claims 6-9, by virtue of their dependence from claim 1, are also allowable for at least these reasons.

With regard to claims 14 and 16-18, these claims depend from independent claim 11, which Applicant believes to be allowable in view of the above remarks. As such, Applicant submits that claims 14 and 16-18, by virtue of their dependence from claim 11, are also allowable for at least these reasons.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 8 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mogaki (US Pat. No. 5,692,345). This rejection is respectfully traversed.

With regard to claim 8, this claim depends from independent claim 1, which Applicant believes to be allowable in view of the above remarks. As such, Applicant submits that claim 8, by virtue of its dependence from claim 1 is also allowable for at least these reasons.

With regard to claim 18, this claim depends from independent claim 11, which Applicant believes to be allowable in view of the above remarks. As such, Applicant submits that claim 18, by virtue of its dependence from claim 11 is also allowable for at least these reasons.

#### **ALLOWABLE SUBJECT MATTER**

The Office Action states that claims 4, 5, and 15 appear to be drawn to allowable subject matter. Applicant has rewritten these claims in independent form to include the

features of the base claim and any intervening claims. Therefore, claims 4, 5, and 15 should now be in condition for allowance.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Applicant believes that the appropriate fees are included herewith. But the Patent Office is hereby authorized to charge Deposit Account No. 08-0750 for any additional fees or to credit any overpayments thereto.

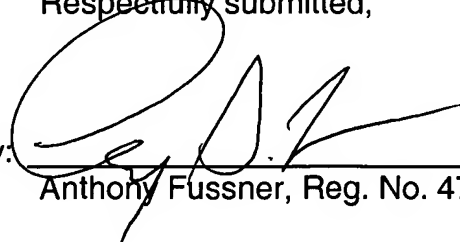
Prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7500.

Dated:

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Respectfully submitted,

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